

445 12<sup>TH</sup> Street, SW  
Washington, DC 20554

IN RE MB Docket Number 07-57

I have a few questions about the Sirius/XM Merger:

- 1) Will I be able to listen to all of Sirius channels, like OutQ?
- 2) Will I be able to listen to XM Exclusive Channels, Like Take5?
- 3) As a subscriber to both Sirius and XM, Will my current XM Radio Equipment still function after the merger?

Sincerely Yours,

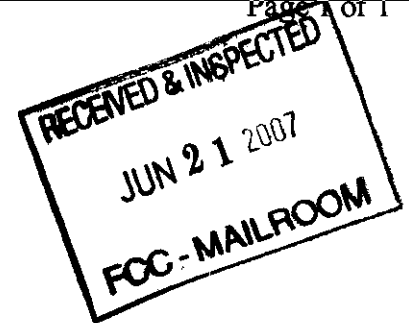
*Ms. Pinky Stanseski*  
Ms. Pinky Stanseski  
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Subj: **docket number 07-57 XM SIRIUS MERGER**  
Date: 6/14/2007 10:10:00 A.M. Eastern Daylight Time  
From: Emil8500  
To: Emil8500



I Am opposed To the XM Sirius Merger, For several Reasons.

First, The FCC Created This Market To attract A Cutting edge Form Of Both Radio Transmission, And Adult Content Entertainment.

As The Entertainment Market Matures Into More Acceptable Forms Of Street Language And Humor, This Market Will Be the Only REAL Market That Such Talents As Howard Stern, And Adult theme Humor And Music Lyrics, Can freely Express This Form Of Entertainment.

And It Must Remain A MARKET.

With TWO Identical Licence's With Separate Ownership, The TRUE Market Value Can Be Found, And The True Market Value Can Be Found For The Subscription Price.

To say, The Market Is So wide, That SATRAD Is A Small Part, And They Must Combine To Survive, Is without Merit.

Terrestrial Is Still Family Values, And Should Remain So.

So This Alone Separates SATRAD From That Market.

Is It Fair To Allow people, Or Competitors, To Call Themselves, "THE SAMES AS" When The Rules Are Totally Different?

Also, If One CEO Controls All SATRAD, 300 Or So Channels Are Of HIS CHOOSING, Is That a REAL Choice, Or No Choice At All.

Also, If You Have An Adult Theme Comedy Or Information Show, And MEL Says Thanks, But No Thanks, There Is No Terrestrial Broadcaster To Go To.

That Alone Is Unfair To Content Providers, And Market Limiting To The Public.

It Truly Can Be A Form Of Market Censorship.

One Person Deciding On Subscription Price, Is No Market.

Even If Government Agreed Controls Are A Trade off, I Fear this limiting Factor Does Not allow Content Providers To Offer More Expensive Content, And Better Packages, As Price Caps will Be A Limiting Factor, And A Limiting Factor To The Content Providers.

So The Market is denied This Option.

Basically You are allowing ONE CEO To Dictate What Is Heard, And What Is Paid For, The Content.

That Is Not The FREE MARKET Way.

Leave these two Alone, And Let the Better Company Win.

The Market Place Will Be Better Off With True Competition.

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See what's free at AOL.com.

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Thursday, June 14, 2007 AOL: Emil8500



## AMERICAN TRUCKING ASSOCIATIONS

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### ★ Driving Trucking's Success

Richard D. Holcomb  
General Counsel and Senior Vice President  
for Law and Regulatory Affairs

June 21, 2007



The Honorable Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, D.C. 20554

Re: *Consolidated Application for Authority to Transfer Control of XM Radio Inc. and Sirius Satellite Radio Inc., MB Docket No. 07-57*

Dear Secretary Dortch:

On behalf of the American Trucking Associations, Inc. ("ATA"), I write in support of the proposed merger of XM and Sirius. The satellite radio merger will produce many benefits for consumers in general and truckers in particular. Accordingly, ATA urges the Commission to approve the transaction.

Established in 1933, ATA is the largest national trade association for the trucking industry. Through its federation of other trucking groups, industry-related conferences, and its 50 affiliated state trucking associations, ATA represents more than 37,000 members representing every type and class of motor carrier in the United States. ATA serves the interests of more than nine million people and 420,000 companies involved in trucking before Congress, the courts, and regulatory agencies.

Truckers were among the first to embrace satellite radio and arguably have adopted it more quickly than the general public, making us particularly well qualified to evaluate what is good—and what could be better—about this particular audio entertainment option. Importantly, each satellite radio provider has introduced channels directed specifically at the trucking industry—"Open Road" (XM Channel 171) and "Road Dog Trucking Radio" (Sirius Channel 147)—each featuring content not available elsewhere. For example, ATA has worked with XM to support a semi-monthly program dedicated to initiatives by ATA's research branch, the American Transportation Research Institute ("ATRI") on truck safety and environmental issues,<sup>1</sup> and a weekly segment in which representatives of ATA's Technology and Maintenance Council

<sup>1</sup> See Press Release, *ATRI To Be Regularly Featured On XM Radio's Dave Nemo Show*, May 1, 2006, at <http://www.truckline.com> (last visited Apr. 17, 2007).

Good stuff.



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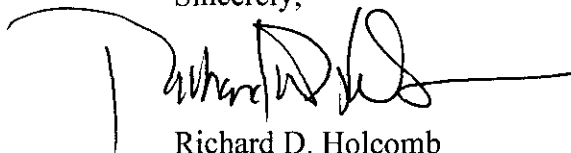
discuss maintenance, inspection, equipment specifications, and other technical issues.<sup>2</sup> Sirius subscribers, however, cannot access this programming—or Major League Baseball and other programming on XM—without also subscribing to XM, for a combined price of \$25.90 per month. And XM subscribers cannot access other programming that is unique to Sirius, such as NASCAR and the National Football League, without similarly paying for both services.

The proposed merger will eliminate such problems and expand choices for all consumers, including truckers. Rather than being forced to choose between content that currently is exclusive to one satellite radio provider, consumers will gain access to packages offering the “best of both” services for significantly less than the current combined price. Meanwhile, consumers with more focused programming preferences who do not want all of this content will be able to obtain packages of fewer channels at a lower price than the \$12.95 package which is the only one available today.

The merger will allow the companies to improve their services in other important ways. Combining their operations will result in savings for the two satellite radio providers and will free up additional capacity on their systems. This will enable the merged company to improve on services that are vital to truckers today, such as traffic and weather, and will facilitate the introduction of new offerings such as advanced data services that may likewise prove valuable. And more generally, the merger will allow the companies to become more efficient overall, ensuring that satellite radio can be a viable competitor in the increasingly competitive market for audio entertainment services.

ATA and the millions of people it represents look forward to the prospect of such benefits, and hope that the Commission will take them into account and approve the proposed satellite radio merger. Thank you for your consideration of these views.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard D. Holcomb", with a long horizontal flourish extending to the right.

Richard D. Holcomb

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<sup>2</sup> See Press Release, *ATA's Technology & Maintenance Council to Debut on XM Satellite Radio*, at <http://www.truckline.com> (last visited Apr. 17, 2007).